

March 8, 1973

(Start of Belt #7)

CLERK: Motion read.

SPEAKER: The chair recognizes Senator Clark.

SENATOR CLARK: Mr. President, members of the body, this bill was heard in January the 26th and it was just killed day before yesterday, but I'm sure it was inadvertently killed in the Agriculture Committee. They have been waiting for an amendment which I had a lot of trouble getting. Then after we got the amendment, they weren't sure it was constitutionally correct, so I have taken it in to the Attorney General. He has assured me that it's all right. Now what this bill actually does is to dedicate all the roads of the state of the Education Land and Funds, just the roads, to the county. Now unless this is done, you can get no federal secondary money at all to the county. If the county would go ahead and approve at the present time and later ask for federal secondary money on paving the road, they could not get it then because they had not complied with having deeded property. All this does is dedicate the 33 feet next to the section to the county. Now the amendment that I have to put on the bill is on the clerk's desk and he admonishes me that I'm pretty good to put an amendment up there before the bill is even on file, but the thing is that what this will do is to take the 33 feet and it will not deplete the Trust Fund under any condition. The county will pay the appraised value or \$1.00 per acre, whichever is greater. They have no appraised value for sale or for lease at the present time, and I would certainly urge that this bill be placed on General File. I think Senator Schmit can talk to this. It was in his Committee.

SPEAKER: Senator Rasmussen asked to speak first. Senator Rasmussen, do you yield the floor to Senator Schmit then, or do you want to speak first? The chair recognizes Senator Rasmussen.

SENATOR RASMUSSEN: Mr. Chairman, members of the body, I was on this Committee that killed this bill and it's exactly the way Senator Clark says. We, inadvertently, killed it while waiting for this amendment.

SPEAKER: Very good. The chair recognizes Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, as Senator Clark and Rasmussen have explained, the Committee on Agriculture did hold the bill for sometime in an attempt to get an amendment which would be a constitutional amendment. At the time we killed the bill, it was felt that nothing was going to be forthcoming and we recommended that LB 36 be included in the interim study committee process which we thought would be a benefit to the school lands issue, but if Senator Clark has an amendment which is workable, I have no objection to raising the bill and I would vote for it.

SPEAKER: Any further discussion of the motion to reconsider? Senator Clark, do you care to make any closing remarks. Senator Clark, any closing remarks. The question is do you want to reconsider the action on LB 36 and place it on General File, notwithstanding the action of the Committee. All those in favor will vote aye. All those opposed will vote no. This is a motion to place LB 36 on General File notwithstanding the action of the Committee as explained by Senator Clark. The motion does require 25 votes. Have you all voted? The clerk will record.

CLERK: 27 ayes, Mr. President, on the motion to raise.

SPEAKER: Very good.

CLERK: Mr. President, there is pending a motion by Senator Fellman to withdraw LB 350. This is found on Page 716 of the